

**From:** Nick Eiteljorg  
**To:** Microsoft ATR  
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**Subject:** Microsoft settlement

Sirs:

If the record regarding Microsoft's prior consent decree as is I believe it is - one of deception and bad faith on the part of Microsoft, why would any agreement rely in any way on Microsoft's promises? The court must make an honest effort to prevent Microsoft from continuing to expand its franchise by doing what it has done in the past - undermining the ability of competitors to gain profitability, frustrating attempts to establish industry-wide standards that might damage Microsoft's monopoly position, and engaging in improper sales practices. As I understand the current proposal, it does not accomplish these basic ends. It should never have been accepted.

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